

INTERNET WATCH FOUNDATION
Minutes of Board Meeting of
15 November 2001

- Held at:** AOL Europe offices, Regus Building, 2nd Floor,
72, Hammersmith Road, London W14
- Present:** Roger Darlington (Chair), Ceris Bergen, John Carr, Mark Stephens,
Clive Feather, Claire Gilbert, Nigel Williams, Claire Milne,
Malcolm Hutty, Roland Perry, Grahame Davies
- IWF Staff:** David Kerr, Ruth Dixon, Liz Banks (notes)
- Apologies:** Camille de Stempel – substituted by Claire Gilbert, Nasira Sheikh-Miller
(proxy given to Claire Milne but see below), Owain James (proxy to Ceris
Bergen).

The meeting opened at 10.30 am immediately after the AGM.

The meeting started with a brief discussion on the subject of voting rights. The Chair ruled that Nasira Sheikh-Miller cannot have a proxy vote at this meeting as she did not attend the last Board meeting of 18th July.

After a discussion concerning directorships the Chair ruled that this meeting is a valid meeting of the “Board” as specified in the constitution. However, the status of members not registered as directors at Companies House is not clear for decisions reserved to the Board of Directors and advice would be obtained before the next meeting.

1. Minutes of last meeting

The committee approved the minutes of the last meeting held on 18th July 2001.

2. Matters Arising

The Chief Executive reported briefly on premises rent costs. The rent element is approximately 75% of the going rate for the area based on an out-of-town location. Equivalent rents in town would be for inferior quality offices in Cambridge.

3. Chief Executive’s Report

Activity notes.

The Chief Executive outlined the statistics on hotline monitoring reports and replied to points raised round the table. It was felt that a separate presentation is needed for members from the management statistics quoted at this meeting. A question was asked (by Claire Milne) if it would be possible to have more general information on the availability of different types of content on the Net rather than IWF output figures. The Chief Executive referred to perhaps having an independent study to further analyse our results in relation to the “total picture”. The

Chair suggested this could be put to the Home Office Task Force. DK undertook to provide a more detailed analysis of One-Stop Shop reports.

In response to a question about the availability of child pornography on Usenet, the Chief Executive made a distinction between what is available from unrestricted access to the international pool of news groups and articles and consumer access through UK ISPs. The former is still growing as connections and traffic grow. But there has been a substantial decrease in public reports to IWF about Usenet content, which is probably because Usenet is not taken up by new users and the main providers are not carrying the groups with most of the illegal content.

On staffing matters the Board recorded its thanks to the two departing hotline analysts, and reminded the report/note writers of the agreement to keep staff names confidential. It was also reported that the Education and Awareness Manager had resigned and this position will be vacant as from 7th December. Nigel Williams thanked her for her input.

Budgetary position

A brief outline was given by the Deputy Chief Executive of the present position on performance against budget. Although some projected subscription income had not materialised, Ruth reported that we had managed expenditure to the new levels. In response to a question, the Chief Executive confirmed that he had every confidence in remaining solvent this year.

Implementation of July newsgroup decisions

The Chief Executive agreed to put anonymised newsgroup monitoring figures on the Web site from the third quarter onwards.

A discussion on the Chair's letter to ISPs followed and the Chair reported on the direct responses to his letter from the 11 ISP organisations he had contacted personally. It was also reported that a much larger number of ISPA and LINX members had been contacted through membership lists and newsletters. The Chief Executive reported that he had used separate contacts to produce initial statistics on the coverage of newsgroups by all IWF's direct subscribers. These were classified into those that: –

- i) confirm they receive and act on notifications about articles.
- ii) do not carrying the groups identified by IWF as regularly receiving illegal articles.
- iii) drop groups on the basis that their names (at least) suggest child pornography content and/or paedophile activity.

A summary of the estimated current position was given orally, but cannot be reported publicly in any detail because a number of positions were unconfirmed by the ISPs involved. In broad terms, it appears that all of the subscribers to IWF with a news service satisfy the first two classes and a majority already satisfy the third, with others still considering their position.

There was further discussion on the Chair's letter to and replies from ISPs. It was suggested that this item needs more clarification and publication of the letters received by the Chair. It was suggested by a member from the industry sector that, due to media reporting, some ISPs are reluctant to respond, which is perhaps the reason why they hold back in replying. It was

reported by the Chair of the Funding Council that he encouraged ISPs on the Funding Council to respond at their last meeting.

4. Approval of Internet Watch Foundation Ltd Financial Statements

The Financial Statements of the Internet Watch Foundation Ltd to 31 March 2001, were approved at this meeting, but noted that the list of directors on page 1 – Company Information, is to be changed to list the current Registered Directors of IWF Ltd.

5. Chair's Activity Report

Prior to the Chair introducing his report, Mark Stephens reported that he would be leaving the meeting early and his proxy vote goes to the Chair except for item 6 which will be given to Clive Feather. Mark Stephens left the meeting at 11.50 am.

The Chair introduced his activity report by item and drew attention to the Task Force and clearing house issues. Nigel Williams reported at this point that the first awareness campaign will be national in the form of a booklet and also a teenage campaign by radio, cinema etc., and also pointed out that the IWF is mentioned in the booklet.

A discussion followed on the Task Force item mainly on the 'clearing-house' proposal and it was suggested we would need a major growth of the hotline to cover issues outside of child pornography. It was felt by some that a One-Stop Shop is required. Should it be IWF or not, the Board needs to be kept in touch with Task Force matters.

6. Chair's Policy Report

The Chair moved directly to the recommendations in his paper.

Recommendation 1:

The IWF recommends all ISPs serving UK customers not to host newsgroups which the IWF identifies as regularly containing child pornography, the criteria for "regular" being determined by a body representing the relevant stakeholders such as the Internet Crime Forum.

The Chair outlined this recommendation and the background to it. The Board discussed the recommendation and suggested the following revised wording:-

Recommendation 1 – First Revision

The IWF recommends all ISPs serving UK customers not to host newsgroups which the IWF identifies as regularly containing child pornography, the criteria for "regular" being determined by the IWF Board.

Votes to move Recommendation 1 – First Revision

In favour	10	Against	1	Abstention	1
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The motion duly carried.

Recommendation 2:

The IWF recommends all ISPs serving UK customers not to host newsgroups which have names which appear to advertise or advocate paedophile content or activity, the actual names being determined by an independent panel constituted by the Chair and Vice-Chairs.

The Chair briefly outlined this recommendation and a discussion followed. It was felt that the basis for the criteria needed further consultation. In order to move on, the Board suggested revised wording to this recommendation as follows:-

Recommendation 2 – First Revision

The IWF recommends all ISPs serving UK customers not to host newsgroups which have names which appear to advertise or advocate paedophile content or activity, the actual names being determined by an independent panel constituted by the IWF Board.

Votes to move Recommendation 2 – First Revision

In favour	8	Against	3	Abstention	1
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The voting was not 75% in favour as required by the special voting procedure, so the recommendation was not carried.

Therefore Recommendation 2- First Revision has not been approved.

In order to continue with the Chair's further recommendations, it was agreed by the Board to revise the wording on Recommendation 2 –First Revision as follows:-

Recommendation 2 – Second Revision

The IWF executive, in consultation with interested parties, draws up criteria and, using those criteria, a list of newsgroups which have names that appear to advertise or advocate paedophile content or activity, this to be presented to the next Board meeting.

Votes to move Recommendation 2 – Second Revision

In favour	11	Against	1	Abstention	0
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This motion duly carried.

Recommendation 3

The IWF draws up a code of practice covering the conduct expected of ISPs who are subscribers to IWF, a draft of this code to be submitted to the next Board meeting for endorsement.

The Chair outlined briefly the background to this recommendation. After discussion it was felt that the wording should be revised on this recommendation as follows:-

Recommendation 3 – First Revision

The IWF draws up a code of practice covering the conduct expected of ISPs who are subscribers to IWF, a draft of this code to be submitted to the next Board meeting.

Votes for Recommendation 3- First Revision

In favour	9	Against	3	Abstention	0
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At 75% in favour the motion was approved under the special voting procedure.

Graham Davies said that, since the LINX constitution does not provide for enforcing anything with their members in relation to content matters, any policy to accommodate some of the sentiments behind this proposition would need to allow for that position or LINX might have to withdraw from the IWF He was anxious that this did not seem like a threat.

Recommendation 4:

The Chair and Vice Chairs draft a statement of objectives for the IWF for inclusion in the constitution, the text being submitted to the Board as an amendment to the existing constitution requiring a “special vote” as defined by that constitution.

The Chair briefly outlined this recommendation. After discussion it was felt that revised wording was required as follows:-

Recommendation 4 – First Revision

This Board resolves that the current statement of objectives is inadequate and hereby instructs the Chair to propose at the next Board meeting recommendations for their amendment.

Votes for Recommendation 4- First Revision

In favour	7	Against	4	Abstention	1
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Since the recommendation did not have the 75% majority in favour required under the special voting procedure, it was not carried.

It was noted that this would not prevent the Chair, if he wished, from bringing forward proposals under his own initiative.

Ruth Dixon left the meeting at approx 1.25pm

Recommendation 5:

The Chair and Vice Chairs initiate a process of consultation with all interested parties concerning the size and composition of the Board, the selection process for members, and any other relevant matters of governance, any recommendations for change being submitted to the Board as amendments to the existing constitution requiring a “special vote” as defined by that constitution.

A discussion followed the Chair’s brief outline of this recommendation. It was generally felt that this matter should be discussed not recommended and needs wider consideration. It was also suggested that a ‘retreat’ be held on this matter. The Chief Executive said a discussion process will be put to the Board. The wording of this recommendation was revised as follows:

Recommendation 5 – First Revision

The IWF Board initiates a discussion concerning the size and composition of the Board, the selection process for members, and any other relevant matters of governance.

Votes to move Recommendation 5 – First Revision

In favour	12	Against	0	Abstention	0
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The motion duly carried.

Recommendation 6:

Pending the outcome of the review in the previous recommendation, the term of any Board member appointment which would otherwise expire or be renewed be simply rolled forward until the review is completed.

Following discussion of the process flowing from Recommendation 5, the Chair withdrew this recommendation.

Due to time pressures of the meeting carrying on longer than anticipated, it was proposed that the meeting be adjourned to be continued at a convenient time, as soon as possible, with a physical or telephone meeting within 30 days.

Meeting adjourned at 2.00pm